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(R-2009-1092)

RESOLUTION NUMBER R- 304876

DATE OF FINAL PASSAGE MAY 14 2009

A RESOLUTION OF THE CITY COUNCIL DECLARING A
DROUGHT RESPONSE LEVEL 2 – DROUGHT ALERT
CONDITION PURSUANT TO SAN DIEGO MUNICIPAL
CODE SECTION 67.3806.

WHEREAS, the City of San Diego's [City] water wholesalers, Metropolitan Water District of Southern California [MWD] and San Diego County Water Authority [CWA], have informed its water agencies that water supplies are likely to be reduced beginning July 1, 2009, as explained in Report to City Council No. 09-055; and

WHEREAS, the City has been preparing an allocation-based water reduction program, including penalty rates for overuse, in anticipation of more severe supply reductions from its wholesalers, based upon the likely action of MWD and CWA; and

WHEREAS, the City will continue its work on the Water Allocation Methodology and penalty rate structure and return to Council with its final recommendation to ensure that should conditions change at either MWD or CWA that require a greater level of reduction, the City would be in a position to respond; and

WHEREAS, in the interim, it is recommended that the City now declare a Level 2 Drought Alert under the San Diego Municipal Code and institute the mandatory water use restrictions specified therein; and

WHEREAS, this activity is statutorily exempt from the California Environmental Quality Act [CEQA] in that it is a specific activity necessary to prevent or mitigate an emergency

pursuant to California Public Resources Code section 21080(b)(4) and CEQA Guidelines section 15269(c); NOW, THEREFORE;

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the Mayor or his designee is hereby authorized to declare and implement a Drought Response Level 2 – Drought Alert Condition pursuant to Section 67.3806 of the San Diego Municipal Code [SDMC] effective June 1, 2009, contingent upon both MWD and CWA taking formal Board actions to declare their own Level 2 restrictions.

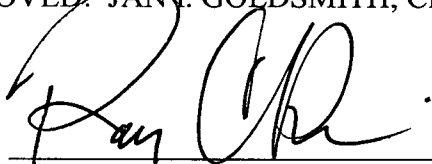
2. That the Mayor or his designee is hereby authorized to enforce water use restrictions as set forth in SDMC Sections 67.3805 and 67.3806 as part of the City's Drought Response Level 2.

3. That the Mayor or his designee is hereby authorized to adopt the reduction of water usage in commercial car washes without re-circulating water systems by an amount equivalent to the reduction imposed on the City by the CWA pursuant to SDMC Section 67.3805(b)(4).

4. That the fee associated with processing and reviewing hardship variance applications, as provided in Municipal Code Section 67.3810(b)(1) is hereby established as follows: \$25.00 for ¾" and 1" meters; \$50.00 for 1 ½" and 2" meters, and \$100.00 for greater than 2" meters.

APPROVED: JANI GOLDSMITH, City Attorney

By



Raymond C. Palmucci
Deputy City Attorney

RCP:sc
04/22/09
Or.Dept:Mayor
R-2009-1092

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of MAY 05 2009

ELIZABETH S. MALAND, City Clerk

By 
Deputy City Clerk

Approved: 5-14-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor